G. R. S. 59]

GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

1898
~~191~~ .
(S + ~~A~~)

File No. 19 — 98

Serial Nos. 1 — 7

Papers Filed.

*Month*_____

SUBJECT.

Retirement of Hon'ble C. Seenakshaya
Judge of the Chief Court of
Mysore

PREVIOUS REFERENCES.	LATER REFERENCES.
	CB 82 - 1911 + 2

Subd to Secty

(X)

The confidential papers relating to the abolition of the Nandedroog Dte Distt Court are put up. The D.O written to Mr Mavalankar by the Dewan from Chitaldroog and by you on 27th Jan/98 are in that file

(2). The file relating to the leave granted to Mr Bell, Chief Judge, are put up.

Those relating to the appt of Mr Narahare Rao as Judge, Chief Court, and to the leave granted to Mr Ramachandra Iyer are in the D.O, with the Comptroller's report that Mr Bell overstayed his leave.

(3). The file relating to the retirement of Officers in July/98 is put up. Mr Mavalankar's leave

(X) Separated & kept in the Confidential box. 23/2/99

+ Put up.

is the Comptroller's list,
but no official orders have
issued about his retirement,
nor are there any Council
Resolutions regarding his
retirement.

A.M.
4/2/39

I understand that Mr Ganesh
Ramachandra Iyer returns to
duty this afternoon. We
have as yet received no order
regarding Mr Meenakshyas
retirement. I beg to suggest
that the Chief Judge be demi-
officially written to saying
that Mr Meenakshya desires
written
retire from the expiration
of such privilege
leave as he may be
entitled to. If the leave
expires during the Recess
the retirement may take
effect from the date of
the close of the Recess.
An official order may be
passed on receipt of a
reply from the Chief Judge
as to the period of leave to
which Mr Meenakshya is
entitled.

Yours sincerely
4/2/39

I don't understand why the official order for Mr Meenachya's retirement was not passed long ago -

The retirement was ordered originally with effect from the End of the annual Recess of 1928 - i.e. 4th June 1928.

Vide by Do. 6 Mr Meenachya's 17 Nov 1927 -

2

Then by Legislative Department Order dated 27th June 1928 retirement was postponed till Mr Justice Bert's return from leave - and afterwards it was further postponed till Mr Justice Ramachandra Iyer's return from leave -

---

Issue the following order now

Mr. Justice Meenachya will retire from the office of Judge of the Chief Court ~~from such date as the Chief Judge may be able~~ upon the return of Mr. Justice Ramachandra Iyer from the privilege leave granted ~~him~~ by Govt. -

Justice

Mr Meenaghan will be
granted, preparatory to
retirement, as above
such privileges as he
may be entitled to ~~at Roots~~
such date as the Chief
Judge may be advised
to determine hereafter

4-2-99

Mr Sanders after above to
the Chief Justice

Thanks for the
Chief Judge

Subd to Secy

Please see the slip attached from which it will be seen that there is an order directing that the services of Mr. Meenakshya as Govt Advocate should be considered eligible for pension. The original order is missing in the Comptroller's Office, and our Office copy is being searched for.

The file about local allces referred to by the Secretary was subd to the Dewan in March last with a statement of such allowances received from the Comptroller, and has not yet been received back.

14/4/99

Govt. Pro: No 1125.26 dated 22 Jany 92 Sanctioning an allowance of Rs 200/ per mensem for discharging the duties of L.C.J. Ref. The allce is payable with effect from 20th Dec. 1891. Directing that Mr. Meenakshya's services as Govt Advocate from 2nd May Dec. 1887 shall be recognised as eligible for pension &c.

Mr Muncaster

Judge Chief Court
26th July 1895 to date —
4 years — 1500 ✓
Emolument — 1500 ✓
Average — 1500 ✓

Entire Service
as Solicitor — 2nd June 1881 ✓
Period of Service 18 years ✓
all deputy

Pension Rule — 18 of 1500 subject
to Maximum 5000 Rs
or Maximum of
2400 + 6 × 240 4320 Rs
under Rule — —
for Civil Servants on Maximum of Rs

Serial No.	Proceedings. No.	Date.	To whom sent.	Subject of order
149	C.1125-26	22nd. January 1892.	The Comptroller and Mr.C.Meenac-shaiya, Legislative Secretary, Government Advocate and Inspector General of Registration.	Sanctioning an allowance of Rs.200 per mensem to Mr. Meenacshaiya for discharging the duties of Inspector General of Registration with effect from 20th December 1891, and directing that his service as Government Advocate from 2nd May 1881 shall be recognised as eligible for pension.

Extract taken from the monthly Volume of January 1892.

Memo

Mr Meenakshaiya's Pension -

Entry into service . . . 2. 5. 81.

Date of retirement . . . 22. 5. 99.
after expiry of
preparatory leave

Total eligible service . . 18 years -

Average emoluments.

9 months at Rs 1200 = 10,800

51 months at Rs 1500 = 76,500

60) 87300
1455 Average -

(a) Pension admissible $\frac{18}{60}$ of 1455 subject to a

(1) maximum either of Rs 3600 per annum -
(2000 - 200 - 5000)

(2) or of Rs 4320 — " —
(2400 - 240 - 6000)

Note In the case of Retiring Pension
after 25 years service the maxi
-mum was recently raised but
not in that of other Pensions
or for shorter service -

(1) — 300 Rs. p.m. Pension

(2) — 360 — " —

It is a question whether

any deduction has to be made under Article 321(a). Mr. Meenakshaiya was 39 years and two months old on the date of entry into service - If his case comes under the said article there must be a deduction of $\frac{10}{40}$ or $\frac{1}{4}$ from his pension, i.e.,

(1) 300 - 75 = 225 Net - ✓

or (2) 360 - 90 = 270 Net.

But an officer required to retire under the 55 years rule under Article 321(a) does not seem necessarily to retire "on account of incapacity for further service due to old age or natural decay from advancing years." No deduction in Mr. Meenakshaiya's case seems called for -

Or

(b) He had an eligible service (subject to verification) of 9 years before he left for England - After a break of about 9 years, he re-entered service in May 1881 - If this break is as a special case condoned, his pensionable service would exceed 25 years and he would get a pension of Rs 500 a month - Under the ordinary Rules,

(article 275 (a)) only a years interruption can be condoned.

Or

(C) If having regard to the circumstances under which his retirement was ordered and to the fact of his having lost the benefit of 9 years service, Government should feel disposed to treat this officer with special liberality, any sum not exceeding Rs 500 a month may be given him under article 480 of the Service Regulations.

C.

19-5-99

X

Vide
S 105 (a)(C)
Manual
Code

The case is one deserving of special treatment, which I shd like to be discussed & disposed of in Council meeting at Earliest : matter date-meanwhile please calculate

24/5/99

Discussion Council.

under Strict Code he is entitled to a pension of Rs 300/ a month & in order

Extract from the Monthly Proceedings book for January 1892.

No. C 1125-26 dated 22d January 1892.

Sanctioning an allowance of Rs: 200 per mensem to Mr. Meenakshaiya for discharging the duties of Inspector General of Registration with effect from 20th December 1891, and directing that his service as Government Advocate from 2d May 1887 shall be recognised as eligible for pension.

No. 7568-7605—P. & A. 590, DATED BANGALORE, 17TH DECEMBER 1898.

ORDER.—Government are pleased to direct that, in the case of the Officers constituting the Mysore Civil Service under para XII of the Proceedings of Government Camp No. 407-22, dated the 1st November 1891, and of such other Officers of equal or higher rank as may, from time to time, be admitted by Government to the benefit of this rule, the period of service required to qualify for a retiring pension of half the average salary during the three last years of active service under Article 312 of the Mysore Service Regulations, be fixed at 25 years, and the maximum pension allowable at the end of that period at Rs. 6,000 per annum. The following addenda and corrigenda to the Mysore Service Regulations are accordingly ordered :—

I. Insert the following as Article 312 A :—

"312 A. In the case of Officers belonging to the Mysore Civil Service as defined in para XII of the Proceedings of Government, No. 407-22, dated 1st November 1891, and other officers holding any appointment which the Government may, from time to time, direct to be regarded as belonging to the Mysore Civil Service for the purpose of this Article, the maximum period of service required for this class of pension is 25 years."

II. Substitute the following for Article 320 (*c*) :—

"320 (*c*). The maximum limit of a pension of half average emoluments for officers referred to in Article 312 A, shall be Rs. 6,000 per annum."

III. Insert the following as Article 330 A.

330 A. "In the case of the Officers referred to in Article 312 A, the term "average emoluments" for the purpose of Article 320 (*c*) means the average calculated upon the last three years of service, subject to the conditions laid down in Rules 1, 2, 3 and 5 of Article 330."

IV. In the "Exception" under Article 320 substitute "Rs. 6,000" for "Rs. 5,000."

2. The Government are pleased to direct that the Officers specified in Appendix A be regarded as belonging to the Mysore Civil Service for the purpose of Article 312 A sanctioned above.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

APPENDIX A.

1. Judges of the Chief Court.
2. Excise Commissioner.
3. Director of Agricultural and other Statistics.
4. Inspector General of Education.
5. Inspector General of Police.
6. Inspector General of Registration.
7. Muzrai Superintendent and *Ex-Officio* Secretary to Government.
8. Comptroller to Government.
9. Superintending Engineers, Eastern and Western Circles, and *Extra* Superintending Engineer.

To—All Heads of Departments.

EXD.—H.A.R.

Statement showing the length of service of Mr. C. Meenakshiayya, in the Salt Lagar division prepared as per his requisition dated 26th April 1899.

Name	Designation	Pay	Service From	Service To	Remarks
C. Meenakshiayya	2nd Clerk	75	15. 6. 63	20. 6. 1866	Resigned from 21. 6. 1866.
	Public Prosecutor	100	10. 8. 65	31. 8. 66	Promoted to Rs 125/- from 1. 9. 66
	do	125	1. 9. 66	10. 8. 67	do Rs 150/- from 11. 8. 67
	do	150	11. 8. 67	22. 1. 68	Appointed Judicial Sheristadar 23. 1.
	Judicial Sheristadar	200	23. 1. 68	9. 9. 70	Appointed acting English office Manager fro 10. 9.
	English office Manager (acting)	250	10. 9. 70	28. 2. 71	Reverted to Judicial Sheristadar's post-
	Judicial Sheristadar	200	1. 3. 71	31. 5. 71	Promoted to Rs. 250/-
	do and Public Prosecutor	250	1. 6. 71	8. 10. 72	Privilege leave for 3 months from 22. The Head Award bears a remark that the officer was removed from 9th and acting arrangements was to fill up the vacancy.

Shimoga

Certified that the services above mentioned are noted in the Head Awards of the Salt

Dt. Shimoga

(5) 15

Matter for Council.

Mr C. Meenakshyai
Pension

By order
of Peerumasenyal
Secy
21/5/99

Rajahamundry Province
T. R. G. Thamboo Chetties Esq^r
1.1378 Sen. C.S. C. S. 25/5
25/5/99
P. N. Idrishna Murthi Esq
Rd 6.20 Pm. C. S. E.
2.6.5.99.
27.5.99
V. P. Madhava Rao Esq^r
R^d in Camp
Madras 29/5/99
(445)

The matter was considered in Council & the order passed thereon is contained in the Minutes of Consultation of the Council of 20/6/99

Journal of Council Proceedings

Dated 20th June 1899.

Resolved as follows:—

X X

5. That W. C. Meenachaiya (Barrister at-law and late judge of the Chief Court) is under strict rule, entitled to only a pension of Rs 300 per mensem; and that the Government resolve to grant him (with effect from the expiry of the privilege leave granted him) an increased pension of Rs 400/- a month in order to enable him to live in a style befitting a retired judge of the Chief Court

Sd/ K. Seshadri Iyer

Dewan Regt. Sec

G. S & A 9-98-1

9126.27
hm 2009 96-2-99

Proc. of the Govt of Mysore

S & A
9 of 98
1

Mr Justice C. Meenakshisundaram will retire from the office of Judge of the Chief Court upon the return of Mr Justice A. Ramachandra Iyer from the privilege leave granted by Notification No 5469 dated 26-10-98 & 5583

Mr Justice Meenakshisundaram will be granted privilege leave as admissible on retirement as above and such privilege leave as he may be entitled to from such date as the Chief Judge may be able to effect his relief.

C.
5/2/99.

2.

The Registrar of the Chief Court
" Comptroller.

(General Serial No. 30.)

OFFICE OF THE
7174
22 FEB. 99
RESIDENT OF MYSORE

No. 2556.

From The Officer of the
Chief Court, Mysore

To

The Secretary to the
Govt. of Mysore

S & A 99
of 98

Dated 20th Feby/99

Despatched 21st "

2 Received

Enclosures No.

General No. 5347

No. 199

Reports that Dt. Justice
Seemashaya has been
relieved of his duties in
the forenoon this day—

Jml
22.2.99
Papers are in the
Genl Branch.
Vdl. 22-2-99

Subt to Secy to Govt
a draft
27/2/99

N 5367/199 SAA. 19-98-2 3

GOVERNMENT OF MYSORE

Bangalore, 20th February 1899.

From

The Registrar of the
Chief Court of Mysore;

To

The Secretary to the
Government of Mysore,
General and Revenue depttS.

Sir,

With reference to Government Proceedings No. 9126-27 Mis. 2009 dated the 6th instant regarding Hon. Justice Meenachaiya's retirement, I am directed to report that he has been relieved of his duties in the forenoon this day.

I have the honor to be,
Sir,
Your most obedient servant,

D Rajatadri Iyengar

Registrar.

4 Stat. 69-98-T3

4

Read

Letter No. 5347/199 dated the 20th February 1999, from the Registrar, Chief Court of Mysore, reporting with reference to Govt. Proceedings No. 9126-7/Hm 2009 dated the 6th idem that Mr. Justice Meenachaya has been relieved of his duties on the forenoon of the 20th Feb/99.

S. 14 69 of 98 / 3

order to 10140-41/98-3-99 Hm 2218

Recorded.

27-2-99.

27/2/99

Secretary

To the Registrar Chief Court

Comptroller.

SA 419-98-4

5
7 May

Decision order

SA 419
of 98
4

Read again Nos: of Govt
No- 9126-27 dated the
Dec: 2009
& 7 May 1999 directions.
- re the retirement of
Mr C. Mallanagouda
from the office of Judge
of the High Court.

~~Govt.~~

Govt the Board & decid-
that the retirement date
- tioned in the above
~~Govt~~ shall be effective from
the date of the expiry
of three months from
date of relief. The
said three months
being ~~treated~~ as
a special case
treated as privilege
leave on full pay
& allowances &
retirement.

Sd
3/3 1999.

To

The Registrar of the High
Court for information
& for communication
to the Justice Mallanagouda
- Complainant -

10011-12
in 280-93 24-3-99

S & A. 19-98-5.

S & A 19 of 98 Bangalore 6
28.4.99

My dear Ananthaswamy Rao.

The post order re
Mr Menakshaiyas service
as part advocate counting
for pension is not
forthcoming in our
records. The register
shows it, but the order
itself is missing.
Where to look for it I
am at a loss to say.
I hope you will find

7

Prl. 1299.

From

1281

E. R. SUBRAYER, Esq.,
Comptroller, Govt. of Mysore.

To

S+A(g) of 98 6

The Secretary to Goveqnment,
Gen. & Rev. Depts.

Dated 12

Despatched June 99

Received

General No. 7841

P&A *No.* 755

Enclosure No. 1

SUBJECT

Forwarding an application for Pension ~~(Gratuity)~~ reported on for the orders of Government. on behalf of Hr Justice C. Keenakshaiya Judge, Chief Court of Mysore

---

Fin Q 280/93 Pension.

BP

23/6/99. R 23/6/99

D of Sec

24/6

(1)

[Fm. 164]

APPLICATION FOR PENSION OR GRATUITY.

1. Name of applicant— Mr. Justice C. Krishnaswamy Ayyar
2. Father's name— Mr. C. Venkatachelliah
3. Race, sect and caste— Hindu, Smartha Brahmin
4. Residence— Gowripuram, Tanjore Taluk
5. Present or last employment, including name of establishment— Judge, Chief Court of Mysore
6. Date of beginning of service— 2nd May 1881 (39 years 2 months & 18 days)
7. Date of ending of service— 19th May 1899 (18 years)

	Y.	M.	D.
8. Length of service, including interruptions	18	—	—
of which Superior	18	—	—
Inferior	—	—	—
Non-qualifying and interruptions	—	—	—

9. Class of Pension or Gratuity applied for, and cause of application*— Superannuation Vide Govt. Pro. No. 9126 M. 20 dated 21st Dec. 1899
10. (Average) emoluments or pay— Rs. 1500/-
11. Proposed Pension— Rs. 225/- p.m. Pension commuted — Rs. 400 per mensem
12. Proposed Gratuity— Nil
13. Date from which pension is to commence— 20th May 1899
14. Place of payment— Tanjore
15. Date of applicant's birth by Christian era†— 2nd March 1842
16. Height— 5 ft 7 3/8 in
17. Marks—
18. Date— 25-5-99

C. Krishnaswamy
Judge
Signature of Head of Office.

* If claim is for a compensation, pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

† If not known exactly, must be stated on the best information or estimate.

History of the Service (showing interruption) of Mr: Justice C. Inneaeahainja Barrister at-

Establishment.	Appointment.	Pay.	Acting allowance.	Date of beginning.	Date of ending.	Period reckoned as service. Y.	M.	D.	Period not reckoned as service. Y.	M.	D.	Remarks.	How verified.	Remarks.
Govt: Advocate	Govt. Adv:	500	-	2-5-81	15-5-88	Y. 7	M.	D. 14	Y.	M.	D.			
Chief Court	Judge	1500	-	16-5-88	22-11-88	"	6	7					By reference to the history of Services,	
Govt: Adv:	Govt: Adv:	500	-	23-11-88	6-1-89	"	1	~~8~~ 7						
Chief Court	Judge	1500	-	7-1-89	3-3-89	-	1	~~25~~ 27						
Govt: Adv:	Govt: Adv:	500	-	4-3-89	14-6-89	"	3	~~12~~						
Chief Court	Judge	1500	-	15-6-89	3-11-89	-	4	~~8~~ 19						
Govt: Adv:	Govt: Adv:	500	-	4-11-89	2-2-90	-	2	~~28~~ 29						
Govt: Adv: Legislative Secy Insp: Gl: of Registrat & In officio Regr: of Lands	Govt Adv: do do	1000	-	3-2-90	9-7-90	"	5	7						
Chief Court	Judge	1500	-	10-7-90	30-9-90	-	2	~~20~~ 21						
Govt: Adv: do	Govt: Adv: do	1000		1-10-90	12-12-92	2	2	~~12~~						
Chief Court	Judge	1500		13-12-92	29-1-93	"	1	~~18~~						
Govt: Adv: do	Govt: Adv:	1000		30-1-93	25-2-93	-	-	~~26~~ 27						
Chief Court	Judge	1500		26-2-93	3-4-93	-	1	5						
Govt: Adv: do	Govt: Adv: do	1000		4-4-93	21-8-93	-	4	18						
Chief Court	Judge	1500		22-8-93	17-10-93	-	1	~~26~~ 27						
Govt: Adv: do	Govt: Adv: do	1000		18-10-93	25-2-95	1	4	~~8~~ 9						
Chief Court	Judge	1500		26-2-95	19-5-99	4	2	~~21~~ 22						
								18						
				Total period of Superior (or Inferior) Service.....		18	"	~~7~~						

I was appointed Public Prosecutor of Jaffna in Dec: in August 1865 and Asst: Secretary to
office in January 1868 on 200 Rs: and Asst: Secretary & Pub: Prosecutor on R. 350 in
in which appointment I remained till October 1872. I went to England in August 1872
Secretary from October 1872 to May 1881. I was

Remarks by Head of Office.

1.	As to character and past conduct of applicant ...	Both character & conduct have been satisfactory & good
2.	Explanation of any suspension or degradation ...	Nil
3.	Regarding any gratuity or pension already received by applicant (*see* Chapter XIX)	Nil
4.	Explanation under Article 279 so far as the Head of the Office can give it.	Vide Govt Ord No 10311-2 Pdt 180-93 dt 4 March 1899
5.	Any other remarks	Do Do
6.	Specific opinion of Head of Office whether the service claimed is established and should be admitted or not [*see* article 472 *(b)*].	Service established & may be admitted

Signature. Judge

Certificate and Report of Comptroller.

Certified that (subject to the remarks below recorded) qualifying service in ~~inferior or~~ superior grades has been duly proved for 18 years, 7 months, 18 days; and that a Pension (~~or Gratuity~~) not exceeding Rs. 225 p.m. is admissible under Articles 306 & 320 (b) of the Mysore Service Regulations. The calculations have been duly verified. The Pension (~~or Gratuity~~) is chargeable to General Revenues. and has been calculated at 18/60 ths of his emoluments limited to Rs 300/- p.m. (vide art 320 b) less 1/40 th of the same (vide art 321)

Attention is invited to Article 311 (2) of the Regulations.

Comptroller, Mysore Govt.

Comptroller's Office
Bangalore 12th June
1899

S&A. 19-98-7 S&A 19 of 98 7. 13

Proceedings of the Government of Mysore.

Read

Govt. Proceedings No. 9126-27--Mis.2009, dated 26/4/99 sanctioning the retirement of Mr. Justice C. Meenacshaiya, Bar-at-Law, Judge of the Chief Court of Mysore.

Letter No. 7841-755 dated 12th June 1899 from the Comptrol-ler to the Govt. of Mysore, re Mr. Meenacshaiya's pension.

Order :-- No. 51-3 / 80-93-94 Dated Bangalore, 1/5 July 1899.

Gone

Government are pleased to sanction the grant to Mr. Justice C. Meenacshaiya, Bar-at-Law, late Judge of the Chief Court of Mysore, of a pension of Rs. 400 (four hundred) per men-sem, with effect from the date (20th May 1899) of the expiry of the privilege leave given him in Pro. No.10311-12-Mis.F.80-93 dated 6th February 1899.

1/7/99

Manfadami R

For Secretary.

To

The Comptroller, Mysore Government,
(with copy of the 1st page of the application).
The Registrar, Chief Court of Mysore.
C. Meenacshaiya, Esq.